

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GREGORY L. BROWN,

Plaintiff,

No. CIV 2:02-cv-02645 ALA P

vs.

D. L. RUNNELS, et. al.,

Defendants.

ORDER

On August 20, 2007, the Court denied Defendant Jeffery W. Rohlfing's motion to dismiss Plaintiff's Second Amended Complaint. On the same day, the Court granted in part and denied in part a motion to dismiss Plaintiff's Second Amended Complaint brought by Defendants Edward Alameda, L. Alexander, T. Bainbridge, D. J. Blankenship, W. Brewer, T. Cole, D. Davey, J. Feliciano, T. Felker, A. Fiegenger, G. Harrison, G. Hibbits, T. Jackson, R. S. Johnson, T. Kopec, S. Leighton, G. Lucas, J. Lynn, A. J. Malfi, A. Martin, J. Norlin, Quiggle, Linda L Rianda, D. L. Runnels, T. Surges, R. Weeks, and M. Wright.

Upon review of the file and good cause appearing therefor, the Court finds as follows:

Efforts to obtain legal representation without order of this Court would be futile;

1. Plaintiff's income is 125 percent or less of the current poverty threshold

established by the Office of Management and Budget of the United States and is otherwise without resources to obtain counsel;

2. This case is of a type that attorneys in this district ordinarily do not accept without prepayment of a fee;

3. This case is not a fee generating case within the meaning of California Business and Professions Code § 8030.4(g); and

4. This case has sufficient merit to warrant appointment pursuant to General Order No. 230.

Accordingly, it is ORDERED that:

1. The Court requests Mr. Andrew W. Stroud, 980 9th Street, Suite 1700, Sacramento, CA 95814 to undertake representation of the Plaintiff through pretrial proceedings and through trial;

2. Counsel shall, within 30 days of this order, notify the Court of availability;

3. Plaintiff and Defendants are temporarily relieved of their obligations to file pretrial statements.

DATED: August 20, 2007

/s/ Arthur L. Alarcón
UNITED STATES CIRCUIT JUDGE
Sitting by Designation